

# Contract User Guide for FAC105

## FAC105: Maintenance Repair and Operations Industrial and Building Retail Products

UPDATED: 04/05/2018

<b>Contract #:</b>	FAC105
<b>MMARS MA #:</b>	FAC105*
<b>Initial Contract Term:</b>	8/1/2017 – 7/31/2022
<b>Current Contract Term:</b>	8/1/2017 – 7/31/2022
<b>Contract Manager:</b>	Michelle Flores, 617-720-3319, <a href="mailto:Michelle.Flores@State.MA.US">Michelle.Flores@State.MA.US</a>
<b>This Contract Contains:</b>	Environmentally Preferable Products
<b>UNSPSC Codes:</b>	27-11-00- Hand Tools, 30-13-00- Structural Building Products, 30-15-15- Roofing Materials, 30-18-00- Plumbing Fixtures, 39-11-16- Special environment fixtures and accessories, 39-12-00- Electrical equipment and components and supplies

\*The asterisk is required when referencing the contract in the Massachusetts Management Accounting Reporting System (MMARS).

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## Contract Summary

This Statewide Contract offers a variety of building and industrial MRO products from the awarded vendors, the flexibility to walk in to retail stores around the Commonwealth to pick up parts, and building/carpentry/home improvement supplies and related materials.

## Benefits and Cost Savings

Statewide contracts are an easy way to obtain benefits for your organization by leveraging the Commonwealth's buying power, solicitation process, contracting expertise, vendor management and oversight, and the availability of environmentally preferable products.

- Covers a broad array of products.
- Price quotes – provided on large projects: \$1,500 or more.
- Volume pricing available on planned and bulk purchases-
- Will-call pickup – save time by calling ahead to have your order ready for pick-up.
- Direct ship to warehouse or job site is available on many products.
- Wide selection of EPPs: energy efficient, water conservation, sustainable forestry, healthy home, and clean air.

## Find Bid/Contract Documents

- To find vendor-specific documents, see links to individual vendor MBPOs on the [Vendor Information](#) page.
- OSD is participating in the U.S. Communities Maintenance Repair and Operations Industrial and Building Retail Products and Naspo ValuePoint Walk In Materials contracts. Information on these contracts may be found at <http://www.uscommunities.org/> and [Naspo ValuePoint](#).

## Who Can Use This Contract

### Applicable Procurement Law

Executive Branch Goods and Services: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00;  
Construction Materials and Services: G.L. c. 149, s. 44A; G.L. c. 30, § 39M.

### Eligible Entities

Please see the standard list of Eligible Entities on our [Who Can Use Statewide Contracts](#) webpage.

## Subcontractors

The awarded vendor's use of subcontractors is subject to the provisions of the Commonwealth's Terms and Conditions and Standard Contract Form, as well as other applicable terms of this Statewide Contract. Prior approval of the department is required for any subcontracted service of the Contract. Contractors are responsible for the satisfactory performance and adequate oversight of their subcontractors.

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## Pricing, Quote and Purchase Options

### Purchase Options

The purchase options identified below are the only acceptable options that may be used on this contract:

- Purchases made through this contract will be direct, outright purchases

### Pricing Options

Contract Users should continue to place orders by contacting the appropriate vendor, or by going to the store to purchase. Contractors' invoices must be itemized to reflect contract pricing for each item.

- A pre-established Commercial Account must be in place prior to purchase.
  - Home Depot – Please click on the [link](#) for instructions to establish an account.
  - Lowe's – Please click on the [link](#) for instructions to establish an account
    - Contact Joe Maloney to submit application for processing
- For special projects implemented in phases, by mutual agreement of the Eligible Entity and the Contractor, invoices must be issued after each phase is completed to the Eligible Entity's satisfaction.

### Setting up a COMMBUYS Account

COMMBUYS is the Commonwealth's electronic Market Center supporting online commerce between government purchasers and businesses. If you do not have one already, contact the COMMBUYS Help Desk to set up a [COMMBUYS](#) buyer account for your organization: (888)-627-8283 or [COMMBUYS@state.ma.us](mailto:COMMBUYS@state.ma.us).

When contacting a vendor on Statewide Contract, always reference FAC105 to receive contract pricing.

### How to Purchase From the Contract

- **Document items in COMMBUYS that have already been purchased**

This type of contract allows buyers to document a contract purchase in COMMBUYS that already has taken place through a Request for Payment Authorization (RPA) Release Requisition. It also allows MMARS users to easily keep track of spend. NOTE: MMARS and COMMBUYS do not interface –payment request and invoice should be reported separately in both MMARS and COMMBUYS.

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage, and select:

- The COMMBUYS Requisitions section, and choose the *How to Create an RPA Release Requisition* job aid.

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## Obtaining Quotes

Contract users should always reference FAC105 when contacting vendors to ensure they are receiving contract pricing. Quotes, not including construction services, should be awarded based on best value.

For a full description of how to complete a quote in COMMBUYS visit the [Job Aids for Buyers](#) webpage, and select:

- The *COMMBUYS Purchase Orders* section, and choose the *How to Create a Solicitation Enabled Bid Using a Release Requisition* job aid.

## Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor.

## Emergency Services

Many statewide contracts are required to provide products or services in cases of statewide emergencies. [ML - 801 CMR 21](#) defines emergency for procurement purposes. Visit the [Emergency Contact Information for Statewide Contracts](#) list for emergency services related to this contract.

## Shipping/Delivery/Returns

**\*Lowe's:** delivery charges will be \$20 up to 75 miles from store purchased. For deliveries of more than 75 miles, please check each store's policy.

**\*Home Depot:** delivery charges will be standard charges per each store's policy.

The Bidder's returned goods policy must allow for the return of unused products normally stocked by the Contractor, within 90 days of delivery, free of charge including transportation back to the Contractor's facility, in cases when:

- The wrong item was ordered,
- Product that was not ordered was delivered;
- Unopened product is being returned in the same condition as received for any reason;
- Product performance, appearance, or other attributes do not meet the Eligible Entity's requirements.

## Additional Information/FAQs

### Purchase of Construction Materials without Labor

**Some purchases** under this contract may fall into the category of Construction Materials without Labor Procurements governed by MGL Chapter 30, Section 39M. To determine whether to use the Statewide Contract or issue your own procurement under Chapter 30, Section 39M, please follow these guidelines:

- **The Statewide Contract should be used if the products are being purchased and/or stocked for:**
  - Use by in-house staff (i.e. no hired labor is used).

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- Multiple projects where hired labor may be used, if the purchase does not limit the pool of installers or other trades persons that can be involved (i.e. the brand of the product being purchased does not limit the pool of installers only to those who are certified by the brand manufacturer). Installation labor must be procured through a separate solicitation in accordance with applicable construction laws.
- Please click on MBPO PO-17-1080-OSD03-SRC02-10360 for the TRD01 Contract User Guide for information regarding Contractors who provide construction, reconstruction, alteration, installation, demolition, maintenance and/or repair services.

### Negotiation

Entities have the right to negotiate pricing or other aspects of purchases within the scope of the contract, including delivery charges (if any), training, warranty, and other provisions.

### Geographical Service Area

Both Home Depot and Lowe's have statewide awards and locations are as follows;

- Home Depot has store locations as follows: 45
  - 45 – Massachusetts,
  - 8 - Rhode Island
  - 20 – New Hampshire
  - 29 – Connecticut
  - Please click on [Find a Home Depot Store](#) and enter your zip code to find the closest store
- Lowe's has store locations as follows:
  - 24 - Massachusetts
  - 5 – Rhode Island
  - 13 – New Hampshire
  - 16 - Connecticut locations.
  - Please click on [Find a Lowe's Store](#) and enter your zip code to find the closest store.

### Product Specifications, including Environmental Standards and Requirements

Energy Star-qualified and WaterSense-labeled products and a growing number of solar-powered solutions. Products or services may include, but are not limited to, those which contain recycled content, minimize waste, conserve energy or water, and reduce the amount of toxic materials either disposed of or consumed.

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## Warranties

Manufacturer warranties apply in addition to any warranty extended by the Contractor in its retail operations. The warranty period shall begin upon Acceptance.

## Other Discounts

- Bulk and volume pricing discounts on all qualifying orders for:
  - over \$1,000 in The Home Depot stores
  - over \$1,500 and your quote has been placed through Lowe's Quote Support Program (QSP)
- Vendor direct programs on select products for additional savings from The Home Depot?
- Enterprise level rebate from the Home Depot
- Receive volume savings when your Lowe's purchase is over:
  - \$1,000 when working direct with Account Rep
  - \$1,500 when placed through Lowe's Quote Support Program (QSP)
  - 5% on all Lowe's purchases under Pro Program
  - 2% additional credit on all purchases reflected on monthly statement
    - Must join the TCPN program (Cooperative Purchasing Network)
      - Contact Lowe's Account Executive for additional information.
- Contractor Packs: Save 10%-50% off on 1,000 items in store when you buy in bulk
  - Look for contractor pack labels in stores and on-line

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## Strategic Sourcing Team Members

- Keri Cornman, Department of Agricultural Resources
- Tracey Dionne, Massachusetts Bay Transportation Authority
- Juan Gutierrez, Department of Agricultural Resources
- Heidi MacCurtain, Department of Developmental Services
- Don Staffiere, Department of Correction
- Pamela Waldron, Department of Developmental Services
- Julia Walrath, Department of Fire Services

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## Vendor List and Information\*

Vendor	Master Blanket Purchase Order #	MMARS Vendor Code and Vendor Line	Contact Person	Phone #	Email	Minimum Order
Home Depot U.S.A., Inc.	<a href="#">PO-18-1080-OSD03-SRC02-11319</a>	VC6000256238, 1	Jack Moran	617-538-0404	john_f_moran@homedepot.com	N/A
Lowe's Companies, Inc dba Lowe's Home Centers, LLC	<a href="#">PO-18-1080-OSD03-SRC02-11320</a>	VC0000120427, 2	Lisa Minton/Joe Maloney	888-310-7791 401-378-7728	naspo@lowes.com; <a href="mailto:Lisa.C.Minton@Lowe.com">Lisa.C.Minton@Lowe.com</a> <a href="mailto:joseph.l.maloney@lowes.com">joseph.l.maloney@lowes.com</a>	N/A

\*Note that COMMBUYS is the official system of record for vendor contact information.

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## Appendix A: Product Categories & Value Add Programs

Product Categories
Appliances
Bath
Building Materials
Doors & Windows
Electrical
Flooring
Kitchen cabinets & countertops
Lighting & Fans
Outdoor Garden Small Tools & Equipment
Paint
Plumbing
Storage & Organization
Tools & Hardware
Value Add Programs
Continuing Education
Contractor Packs & Bulk Discounts
Material Take-Off & Project Guide
Energy Industries Supplies
Blueprint Estimates
Paint Color Matching Services
In-Store Translation Services
Free Computer Project Design
Pipe Cutting and Threading Services

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